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| 10/726,077 | 12/02/2003 | Brian Jones | 60001.0275US11 | 4807 |

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EXAMINER

BOTTS, MICHAEL K

ART UNIT PAPER NUMBER

2176

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,077

Applicant(s)

JONES ET AL.

Examiner

Michael K. Botts

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003 and 14 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date May 14, 2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. This document is the first Office Action on the merits. This action is responsive to the following communications: The Non-Provisional Application, which was filed on December 2, 2003.
2. Claims 1-24 have been examined, with claims 1, 12, and 19 being the independent claims.
3. The Specification is objected to.
4. Claims 1-24 are rejected.

Information Disclosure Statement

5. An initialed and dated copy of applicant's IDS form 1449, which was filed on May 14, 2004, is attached to this Office Action.

The Specification

6. Applicant is required to update the status (pending, allowed, etc.) of all parent priority applications in the first line of the specification. The status of all citations of U.S. filed applications in the specification should also be updated where appropriate.
7. The description portion of this application contains a computer program listing consisting of more than three hundred (300) lines. In accordance with 37 CFR 1.96(c), a computer program listing of more than three hundred lines must be submitted as a computer program listing appendix on compact disc conforming to the standards set

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forth in 37 CFR 1.96(c)(2) and must be appropriately referenced in the specification (see 37 CFR 1.77(b)(5)). Accordingly, applicant is required to cancel the computer program listing appearing in the specification on pages 11-287, file a computer program listing appendix on compact disc in compliance with 37 CFR 1.96(c) and insert an appropriate reference to the newly added computer program listing appendix on compact disc at the beginning of the specification.

Claims Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. **Claims 1-24** are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Altova Inc. & Altova GmbH, "XML Spy 4.0 Manual," copyright 1998-2001, September 10, 2001, downloaded by the Examiner from:

http://www.altova.com/download_archive.html and link, pages 18-286, [hereinafter "XML Spy"].

Regarding **independent claim 1**, XML Spy teaches:

*A computer-readable medium having computer-executable components,
comprising:*

a first component that is arranged to read a word-processor document stored as an XML file;

(See, XML Spy, page 207, teaching importation of an XML document.)

a second component that is arranged to use an XSD for interpreting the word-processor document, and

(It is noted that "XSD" was known to one of ordinary skill in the art at the time of the invention consistent with the following definition, which will be the definition used in this Office Action: "Acronym for eXtensible Schema Definition. A prefix used by convention to indicate a W3C schema namespace." Microsoft Computer Dictionary, Microsoft Press, Fifth Edition, 2002. See, XML Spy, page 207, teaching that the XML document is interpreted by an XML schema.)

a third component that is arranged to validate the word-processor document, wherein the validation selectively ignores mixed content within the word-processor document.

(See, XML Spy, pages 176-19, teaching validation. See also, XML Spy, pages 269-273, teaching the functions of changing fonts, including setting one font, on the schema, which inherently ignores the mixed content of character attributes. See also, XML Spy, page 187, teaching that complex types are de-selectable from the document.)

Regarding **dependent claim 2**, XML Spy teaches:

The computer-readable medium of Claim 1, wherein the word-processor document is a template file.

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(See, XML Spy, page 125, teaching templates for use with XML documents.)

Regarding **dependent claim 3**, XML Spy teaches:

The computer-readable medium of Claim 1, wherein the mixed content comprises text that is not semantically included within an element.

(See, XML Spy, page 187, teaching that annotations may be de-selected from a document.)

Regarding **dependent claim 4**, XML Spy teaches:

The computer-readable medium of Claim 1, wherein the mixed content comprises an image that is not semantically included within an element.

(See, XML Spy, page 187, teaching that complex types are de-selectable from the document, which inherently includes an image expressed as a complex type.)

Regarding **dependent claim 5**, XML Spy teaches:

The computer-readable medium of Claim 1, further comprising a formatting component that is arranged to store the word-processor document as an XML file.

(See, XML Spy, page 186, teaching a save function.)

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Regarding **dependent claim 6**, XML Spy teaches:

The computer-readable medium of Claim 5, wherein the formatting component is further arranged to selectively suppress mixed content within the word-processor document.

(See, XML Spy, pages 269-273, teaching the functions of changing fonts, including setting one font, on the schema, which inherently ignores the mixed content of character attributes. See also, XML Spy, page 187, teaching that complex types are de-selectable from the document.)

Regarding **dependent claim 7**, XML Spy teaches:

The computer-readable medium of Claim 1, wherein the third component is further arranged to display errors encountered in validation.

(See, XML Spy, pages 67-72, teaching display of validation errors and re-validation.)

Regarding **dependent claim 8**, XML Spy teaches:

The computer-readable medium of Claim 1, further comprising an editing component that is arranged to received user commands for changing the word-processing document.

(See, XML Spy, teaching editing of XML and non-XML files.)

Regarding **dependent claim 9**, XML Spy teaches:

The computer-readable medium of Claim 1, wherein the mixed content is selectively ignored in response to a user input.

(See, XML Spy, pages 269-273, teaching the functions of changing fonts, including setting one font, on the schema, which inherently ignores the mixed content of character attributes. See also, XML Spy, page 187, teaching that complex types are de-selectable from the document.)

Regarding **dependent claim 10**, XML Spy teaches:

The computer-readable medium of Claim 1, wherein the mixed content is selectively ignored in response to environmental variables.

(See, XML Spy, pages 271-273, teaching used of default fonts and coding depending on the originating document type.)

Regarding **dependent claim 11**, XML Spy teaches:

The computer-readable medium of Claim 1, wherein the mixed content is selectively ignored in response to a declaration in the word-processing document.

(See, XML Spy, page 267, teaching that the text of a word-processing document may be set to XML-text for editing.)

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Regarding **independent claim 12**, XML Spy teaches:

*A method for handling a word-processing document, comprising:
determining whether mixed content within the word-processing document
is to be ignored; and
parsing and validating the word-processing document such that mixed
content does not cause validation errors when the determination has been made
that mixed content within the word-processing document is to be ignored.*

(Claim 12 incorporates substantially similar subject matter as claimed in claim 1, and is rejected along the same rationale.)

Regarding **dependent claim 13**, XML Spy teaches:

*The method of Claim 12, wherein the validating is performed in
accordance with an XSD file.*

(Claim 13 incorporates substantially similar subject matter as claimed in claim 1, and is rejected along the same rationale.)

Regarding **dependent claim 14**, XML Spy teaches:

*The method of Claim 12, further comprising displaying the document
according to the instructions contained within the XML file.*

(See, XML Spy, page 267, teaching that a document may be opened for editing, displayed, according to the XML instructions.)

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Regarding **dependent claim 15**, XML Spy teaches:

The method of Claim 12, further comprising storing the document as an XML file.

(Claim 15 incorporates substantially similar subject matter as claimed in claim 5, and is rejected along the same rationale.)

Regarding **dependent claim 16**, XML Spy teaches:

The method of Claim 15, wherein the storing the document further comprises suppressing mixed content when the determination has been made that mixed content within the word-processing document is to be ignored.

(See, XML Spy, pages 186-187, teaching that the document to be save may be set by the user, including ignoring mixed content.)

Regarding **dependent claim 17**, XML Spy teaches:

The method of Claim 12, wherein the determination is made in response to a user command received in a dialog menu.

(It is noted that the term "dialog menu" does not appear have a set definition. The "dialog menu 1000," identified as Figure 10 in the disclosure is consistent with the term "dialog box" which was well known to one of ordinary skill in the art at the time of the invention, and, accordingly, which will be read as the definition of a "dialog menu" in this Office Action. See, Microsoft Computer Dictionary, Microsoft Press, Fifth Edition, 2002, definition of "dialog box," as follows: "In a graphical user interface, a special window

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displayed by the system or application to solicit a response from the user.” See, XML Spy, pages 186-187, teaching that the document to be save may be set by the user, including ignoring mixed content. See, in particular, the graphical user interface taught on 187, which teaches the graphical user interface disclosed in Figure 10 of the application.)

Regarding **dependent claim 18**, XML Spy teaches:

The method of Claim 12, further comprising displaying errors due to encounter mixed content within the word-processing document when the determination has not been made that mixed content within the word-processing document is to be ignored.

(See, XML Spy, pages 67-72, teaching display of validation errors and re-validation.)

Regarding **independent claim 19**, XML Spy teaches:

A system for creating, interpreting, and modifying a word-processor document stored ms a ML file, comprising:

a ML file;

a validation engine configured to validate the ML file, wherein the validation engine selectively validates mixed content; and

a word processor configured to read a ML file created in accordance with an associated schema.

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(Claim 19 incorporates substantially similar subject matter as claimed in claim 1, and is rejected along the same rationale.)

Regarding **dependent claim 20**, XML Spy teaches:

The system of Claim 19, wherein the validation engine selectively validates mixed content in response to user commands received through a system interface.

(Claim 20 incorporates substantially similar subject matter as claimed in claims 17 and 18, and is rejected along the same rationale.)

Regarding **dependent claim 21**, XML Spy teaches:

The system of Claim 19, wherein the word processor is further configured to output the document to a display.

(See, XML Spy, pages 67-72, teaching display of validation errors and re-validation.)

Regarding **dependent claim 22**, XML Spy teaches:

The system of Claim 19, wherein mixed content within the document is selectively output to the display.

(See, XML Spy, page 267, teaching that a document may be opened for editing, displayed, according to the XML instructions.)

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Regarding **dependent claim 23**, XML Spy teaches:

The system of Claim 21, wherein the word processor is further configured to save the validated ML file in a long term memory of the system.

(Claim 23 incorporates substantially similar subject matter as claimed in claim 5, and is rejected along the same rationale. The Examiner takes official notice that it was obvious and well known to one of ordinary skill in the art at the time of the invention that an XML or "ML" document may be stored to long term memory of a system, such as to a hard drive or to a central server for purposes of long or term retention and later access.)

Regarding **dependent claim 24**, XML Spy teaches:

The system of Claim 21, wherein the validation engine is further configured to output validation errors to the display.

(See, XML Spy, pages 67-72, teaching display of validation errors and re-validation.)

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art.

See, MPEP 2123.

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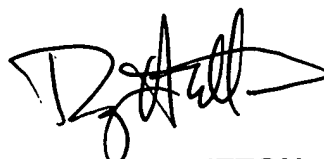
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday Thru Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKB/mkb

A handwritten signature in black ink, appearing to read 'Doug Hutton', with a stylized, elongated horizontal stroke at the end.

**DOUG HUTTON
PRIMARY EXAMINER
TECH CENTER 2100**